

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ASHLIE SESSIONS,

Plaintiff,

v.

L&R TRANSPORTES, INC.,

Defendant.

6:14-cv-00191-TC

FINDINGS AND
RECOMMENDATION

COFFIN, Magistrate Judge:

On February 5, 2014, plaintiff filed a complaint (ECF No. 1) against L&R Tranportes, Inc. On May 28, 2014 plaintiff filed an affidavit of service, indicating that service was completed on May 7, 2014. Defendant has not made an appearance in this matter nor has plaintiff filed a motion for entry of default.

On the same date that plaintiff filed her complaint, the court entered a discovery and pretrial scheduling order (ECF No. 2) setting deadlines for filing of a joint alternate dispute (ADR) resolution report and pretrial order by July 7, 2014. As of this date, the parties have failed to file either a joint ADR report or a pretrial order.

The court subsequently ordered plaintiff to show cause in writing by September 5, 2014 why this action should not be dismissed for failure to prosecute and failure to follow a court order. (ECF No. 5) Plaintiff was advised that failure to respond to this order may result in dismissal of this case. To date, plaintiff has failed to respond to the order to show cause.

Accordingly, this action should be dismissed for failure to follow court orders filed on February 5, 2014 and August 6, 2014 and failure to prosecute.

The above Findings and Recommendation will be referred to a United States District Judge for review. Objections, if any, are due no later than fourteen days after the date this order is filed. The parties are advised that the failure to file objections within the specified time may waive the right to appeal the District Court's order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). If no objections are filed, review of the Findings and Recommendation will go under advisement on that date. If objections are filed, any party may file a response within fourteen days after the date the objections are filed. Review of the Findings and Recommendation will go under advisement when the response is due or filed, whichever date is earlier.

Dated this 29 day of October 2014.



THOMAS M. COFFIN
United States Magistrate Judge